

63H-4-102 Creation -- Members -- Chair -- Powers -- Quorum -- Per diem and expenses.

- (1) There is created an independent state agency and a body politic and corporate known as the "Heber Valley Historic Railroad Authority."
- (2) The authority is composed of eight members as follows:
 - (a) one member of the county legislative body of Wasatch County;
 - (b) the mayor of Heber City;
 - (c) the mayor of Midway;
 - (d) the executive director of the Department of Transportation or the executive director's designee;
 - (e) the executive director of Parks and Recreation, or the executive director's designee; and
 - (f) three public members appointed by the governor with the consent of the Senate, being private citizens of the state, as follows:
 - (i) two people representing the tourism industry, one each from Wasatch and Utah counties; and
 - (ii) one person representing the public at large.
- (3) All members shall be residents of the state.
- (4)
 - (a) Except as required by Subsection (4)(b), the three public members are appointed for four-year terms beginning July 1, 2010.
 - (b) Notwithstanding the requirements of Subsection (4)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of authority members are staggered so that approximately half of the authority is appointed every two years.
- (5) Any of the three public members may be removed from office by the governor or for cause by an affirmative vote of any four members of the authority.
- (6) When a vacancy occurs in the membership for any reason, the replacement is appointed for the unexpired term by the governor with consent of the Senate for the unexpired term.
- (7) Each public member shall hold office for the term of appointment and until a successor has been appointed and qualified.
- (8) A public member is eligible for reappointment, but may not serve more than two full consecutive terms.
- (9) The governor shall appoint the chair of the authority from among its members.
- (10) The members shall elect from among their number a vice chair and other officers they may determine.
- (11) The powers of the authority are vested in its members.
- (12)
 - (a) Four members constitute a quorum for transaction of authority business.
 - (b) An affirmative vote of at least four members is necessary for any action taken by the authority.
- (13) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:
 - (a) Section 63A-3-106;
 - (b) Section 63A-3-107; and
 - (c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 308, 2011 General Session

Renumbered and Amended by Chapter 370, 2011 General Session